

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ARTHUR VANZUYLEN,
Plaintiff,
v.
A. RIBERA, et al.,
Defendants.

CASE NO. 1:20-cv-0057 DAD JLT (PC)

**FINDINGS AND RECOMMENDATIONS
TO DISMISS CASE FOR FAILURE TO
COMPLY WITH COURT ORDER AND
FAILURE TO STATE A CLAIM**

FOURTEEN-DAY DEADLINE

The Court screened Plaintiff's complaint and found it lacks a cognizable claim. The Court directed Plaintiff to submit a notice indicating whether he wished to proceed with the complaint as screened, whether he wished to file a new pleading, or whether he wished to dismiss this action. The Court warned Plaintiff that failure to comply with the order would result in the recommendation that the action be dismissed for failure to obey a court order and failure to state a claim. The deadline for responding to the Court's order has now passed, and plaintiff has not submitted a notice, an amended pleading, or a request for extension of time.

The Court therefore **RECOMMENDS** that this action be dismissed for failure to obey a court order and failure to state a claim.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within fourteen days

1 after being served with these Findings and Recommendations, the parties may file written objections
2 with the Court. The document should be captioned “Objections to Magistrate Judge’s Findings and
3 Recommendations.” The parties are advised that failure to file objections within the specified time
4 may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir.
5 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

6
7 IT IS SO ORDERED.

8 Dated: October 2, 2020

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE